



DEALING WITH HOMELESS PEOPLE
SDPD Neighborhood Policing Resource Team
April 24, 2012

CONTENTS

**MAKING A CITIZEN'S ARREST
AVOIDING PROBLEMS**

Homelessness is an extremely complex social problem that impacts the quality of life in our community. There are no easy solutions. The SDPD and elected officials in the County and City recognize that there is a fine line between homelessness as a social issue and a criminal issue. Many homeless are on the street because of substance abuse, mental illness, or both. Often the disorder issues associated with homelessness are criminal in nature but difficult to enforce. To assist the City and County provide better service to this "at risk" population the SDPD has created the Homeless Outreach Team (HOT). The team consists of police officers, County Health and Human Services specialists, and psychiatric clinicians from the Psychiatric Emergency Response Team (PERT), a private non-profit organization. The HOT is available to assist the community with homeless related issues. Its phone number is **(858) 490-3850**.

While being homeless is not a crime, many kinds of public conduct are illegal and should be reported to the SDPD. These include being intoxicated, loitering, prowling, fighting, trespassing, aggressive panhandling, soliciting, urinating and defecating, consuming alcoholic beverages in certain public places, camping or sleeping in parks, littering, obstructing sidewalks, living in a vehicle parked on a public street, disturbing the peace by loud and unreasonable noises, using offensive words, behaving in a threatening manner, etc.

MAKING A CITIZEN'S ARREST

Because many of these crimes are misdemeanors, a police officer can only arrest a person if the offense is committed in his presence. However, a person who witnesses the offense can make a citizen's arrest by doing the following:

- Call the SDPD and provide details of the offense. Call **911** if it is an emergency, i.e., if the crime is in progress or about to happen, and involves serious personal injury, property damage, or property loss. Otherwise call **(619) 531-2000** or **(858) 484-3154**, the SDPD non-emergency numbers. Details about reporting and providing information about crimes and suspicious activities are presented in the Crime Prevention and Education section of the SDPD's website at **www.sandiego.gov/police**.
- When an officer arrives to take physical custody of the suspect, sign the arrest form stating that the offense was committed in your presence and that the officer is lawfully making the arrest. You must also be willing to appear and testify in court.

Note that you do not have to physically take the suspect into custody. For your safety, such action is discouraged by the SDPD.

AVOIDING PROBLEMS

The following tips will help you avoid problems with homeless people.

- Talk to the SDPD Community Relations Officer (CRO) in your area about any problems with homeless people and if warranted, file a Letter of Agency with your local Area Station. This letter authorizes the SDPD to enter your property to ask unauthorized persons to leave the property; and if they refuse to do so or return thereafter, to enforce any law violations on and about the property. The form for this letter can be downloaded from the FORMS & PERMITS section of the SDPD website at www.sandiego.gov/police/forms/index.shtml. Note that the letter must be renewed every six months. SDPD Area Station addresses and phone numbers are listed at the end of this paper. If you do file a Letter of Agency you should also post NO TRESPASSING signs stating that a Letter of Agency has been filed with the SDPD and giving the address of the property, the name and phone number of the property owner or manager, and the non-emergency SDPD phone number to report suspicious activities, which is **(619) 531-2000** or **(858) 484-3154**. The signs should be at least 18 by 24 inches in size, have a font visible from the nearest public street, not be accessible to vandals, and be posted on the entrances and spaced evenly on the boundaries of the property. A sample sign is also available in the FORMS & PERMITS section.
- Avoid confrontations and maintain a safe distance. Use caution is dealing with them.
- Do not offer food or money. It may encourage more panhandling. If you are inclined to help the homeless, it is better to contribute to local charities, missions, food banks, or social service organizations that assist the needy.
- Do not permit anyone to camp or loiter on your property.
- Do not allow anyone to store shopping carts, bedding, or other personal belongings on your property.
- Restrict access to sidewalk overhangs, alcoves, or other areas protected from inclement weather.
- Lock or remove handles from water spigots.
- Keep trash dumpsters locked when not being filled or emptied.
- Secure outside storage sheds or containers.
- Lock or turn off exterior power outlets.
- Lock gates after hours.
- Install motion-activated exterior lighting after hours.
- Trim landscaping to eliminate hiding places. Canopies of mature trees should be maintained at least 8 feet above the ground. Bushes should be trimmed to less than 3 feet except where privacy or environmental noise mitigation is a primary concern, or where higher plants would not block any views, lighting, or camera coverage, or provide hiding places.
- Keep property free of trash, litter, junk, etc.
- Use graffiti-resistant paint or anti-graffiti coatings on the sides of the building and any other design features that could be vandalized. The San Diego Park and Recreation Dept. specifies the use of anti-graffiti materials manufactured by Monopole Inc. Four coats are applied. The first is Aquaseal ME12 (Item 5200). The second is Permashield Base (Item 6100). The third and fourth are Permashield Premium (Item 5600 for matte finish or Item 5650 for gloss finish). Additional protection can be obtained by planting vines, bushes, etc. along the sides of the buildings. They help keep vandals away from the walls and cover areas that might otherwise be vandalized. Report graffiti and other vandalism, and clean up promptly after the officers have taken pictures, etc.
- Design public amenities to discourage misuse, e.g., shape benches and other seating to be comfortable for sitting but not for sleeping.
- Have plants at sidewalk level. If raised planter boxes are used, the sides should be at least 4 feet high or their tops should be uncomfortable for seating, e.g., by making them very narrow, allowing plants to grow over them, etc.
- Establish, post, and enforce rules of conduct for public use of private property. Include signs of nighttime curfews and prohibitions of loitering, illegal lodging, drinking alcoholic beverages, drug activities, etc. The signs should state that persons engaged in prohibited conduct will be asked to leave the property, and that failure to cease the conduct or leave the property will result in a call to the SDPD.
- Install surveillance cameras to cover public areas. Have security personnel monitor these cameras and ask persons engaged in prohibited conduct to leave the property. Security personnel should also patrol the property at random times.
- If security personnel are not available or if it is not practical to monitor the cameras all the time, install video analytics or intelligent video software in your camera system. It will alert you when something suspicious occurs.

Lights could be turned on at night when motion is detected, and audio announcements could warn trespassers that the police would be called if they do not leave the property immediately.

- If signs stating that security or surveillance cameras are installed are posted and the cameras are not monitored all the time, the sign should also include that caveat. This is important in keeping people from having a false sense of security and expecting help in the event they are attacked.

SDPD AREA STATIONS

| | | |
|--------------|---------------------------------|----------------|
| Central | 2501 Imperial Ave. SD 92102 | (619) 744-9500 |
| Eastern | 9225 Aero Dr. SD 92123 | (858) 495-7900 |
| Mid-City | 4310 Landis St. SD 92105 | (619) 516-3000 |
| Northeastern | 13396 Salmon River Rd. SD 92129 | (858) 538-8000 |
| Northern | 4275 Eastgate Mall SD 92037 | (858) 552-1700 |
| Northwestern | 12592 El Camino Real SD 92130 | (858) 523-7000 |
| Southeastern | 7222 Skyline Dr. SD 92114 | (619) 527-3500 |
| Southern | 1120 27th St. SD 92154 | (619) 424-0400 |
| Western | 5215 Gaines St. SD 92110 | (619) 692-4800 |